

Talking Points for Shaun McGrath, Regional Administrator
Site Tour of the Dewey-Burdock Uranium ISR site
Thursday, June 11, 2015 2:00 – 4:00 pm (MDT)

Background Information *(for internal use only)*

Ex. 5 AC/AWP/DP

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Talking Points

- Mention to Powertech up front:
 - We will be putting together a summary of any discussions today for our record.
 - They will have an opportunity to comment (along with the public) when the draft permit is noticed.
- 40 CFR Part 61 Subpart W:
 - EPA will issue a response to comments and draft a final rule.
 - The estimated completion date for the final rulemaking is spring, 2016.
- Part 192:
 - EPA is evaluating the comments and information received and will follow the official rulemaking process. Therefore, we cannot discuss any details on our response to comments on the proposed rule.
 - Powertech may ask about the impact of the Part 192 proposed rule on the UIC permits. Part 192 regulations are implemented by the NRC and apply to groundwater restoration within ISR wellfields, which are located inside the EPA-approved aquifer exemption boundary. The UIC Program's Class III permitting regulations, although separate from Part 192, are similarly aligned to protect USDWs outside the AE boundaries.
- The Superfund Site Investigation of the abandoned uranium mines.
 - The EPA considers this project to be independent of the UIC permitting process. The timing of the UIC draft permit issuance will not be affected by this site investigation.
 - The Site Investigation will begin this summer.
 - There is a Fact Sheet we can give them.
 - Contact Dania Zinner if they have any questions. Her contact information is included on the Fact Sheet.
- The UIC Permits and Aquifer Exemption
 - As EPA's first UIC Class III ISR Uranium Area Permit, this permit is nationally precedent-setting and must go through extensive internal Agency review. EPA's mandate is to ensure protection of USDWs.
 - The bottom line is that our technical experts need to be confident that the draft permits will protect USDWs and we need to ensure our record will stand up to anticipated intense scrutiny from any potential challenges.

- EPA staff have closely followed the NRC public review process. We believe we have a strong administrative record that will withstand the intense public scrutiny we anticipate.
- NHPA Tribal Consultation
 - We are considering all our options for compliance with section 106 consultation and review requirements.